

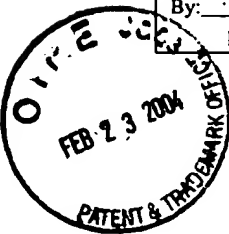
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ELAN PHARMACEUTICALS, INC.

By: Leslie J. Boley

Leslie J. Boley

PATENT
Attorney Docket No.: 00211-US-NEW



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

MOYER *et al.*

Application No.: 09/393,590

Filed: September 9, 1999

For: STABLE LIQUID
FORMULATIONS OF
BOTULINUM TOXIN

Examiner: S. DEVI

Art Unit: 1645

INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97 and
§1.98

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

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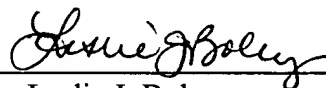
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The references cited herein were presented in a corresponding foreign application proceeding.

Applicant believes that the fee required for submission of this statement is \$180.00. The Commissioner is authorized to deduct the fee for the submission of this statement from the undersigned's Deposit Account No. 01-2707. Please deduct any additional fees that may be required from, or credit any overpayment to, the above-noted Deposit Account.

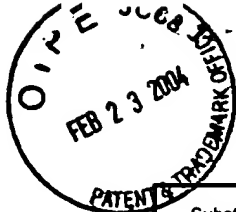
Respectfully submitted,

Date: 2/23/04



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650 553-7165



Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Complete if Known			
		Application Number	09/393,590		
		Filing Date	September 9, 1999		
		First Named Inventor	Moyer, Elizabeth		
		Art Unit	1645		
		Examiner Name	S. Devi		
Sheet	1	of	2	Attorney Docket Number	00211-US-NEW

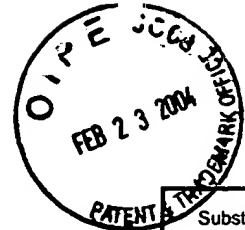
U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
		US-5,512,547	04-30-1996	Johnson et al.	
		US-5,714,468	02-03-1998	Binder	
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		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Complete if Known			
		Application Number	09/393,590		
		Filing Date	September 9, 1999		
		First Named Inventor	Moyer, Elizabeth		
		Art Unit	1645		
		Examiner Name	S. Devi		
Sheet	2	of	2	Attorney Docket Number	00211-US-NEW

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		M.C. GOODNOUGH, et al. "Stabilization of Botulinum Toxin Type A during Lyophilization," Applied and Environmental Microbiology, 58: 3426-3428 (1992).	
		P. HAMBELTON, et al. "Potency equivalence of botulinum toxin preparations", Journal of the Royal Society of Medicine" 87: 719 (1994)	
		K. MCCLELLAN, et al. "Therapeutic Botulinum Type A Toxin: Factors Affecting Potency," Toxicon, 34(9): 975-85 (1996).	
		E.J. SCHANTZ, et al. "Properties and Use of Botulinum Toxin and Other Microbial Neurotoxins in Medicine," Microbiological Reviews, 56(1): 80-99 (1992).	
		E.J. SCHANTZ, et al. "Preparation and Characterization of Botulinum Toxin Type A for Human Treatment," in "Therapy with Botulinum Toxin," ed. J. Jankovic and M. Hallett, Marcel Decker Inc. pp. 41-49 (1994).	
		J.P. DOWEIKO, et al. "Role of Albumin in Human Physiology and Pathophysiology," Journal of Parenteral and Enteral Nutrition, 15: 207-211 (1991).	
		B. ASHER "Traitement des rides fronto-orbitaires par injections de toxine botulique, lifting endoscopique, et resurfacing laser," J. Med, Esth et Chir. Dem. XXIII:159-166 (1996) [French language only].	

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